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Addendum

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Programme questions: proposed medium-term plan for the period 2002-2005 (item 3 (b))

Programme 19
Human rights

1. At its 17th meeting, on 19 June 2000, the Committee for Programme and Coordination considered programme 19, Human rights, of the proposed medium-term plan for the period 2002-2005 (A/55/6 (Prog. 19)).

2. The High Commissioner for Human Rights introduced the programme and responded to questions raised during the Committee's consideration of the programme.

Discussion

3. Support was expressed for the programme. It was stated that the promotion and protection of human rights was one of the priorities of the United Nations. The proposed programme was considered to be coherent and highlighted the central role of the Office of the High Commissioner.

4. It was stated that the responsibilities of the Secretariat and those of Member States should be better delineated.

5. The attempt to propose expected accomplishments and indicators of achievement was noted. It was stated that the indicators were difficult to formulate for human rights and that caution should be exercised in that area.

6. It was noted with concern that the right to development was not given sufficient attention. It was considered that the narrative should have included

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references to the effects of endemic structural adjustments and to the negative impact of the economic crisis at the international level which affected developing countries.

7. It was recalled that the promotion and protection of human rights was a top priority of the United Nations, including the development and consolidation of democracy and the rule of law. The Committee expressed its full support for efforts of the Secretary-General to mainstream human rights throughout the United Nations system.

8. It was also noted that there was no agreement on human rights as a cross-cutting issue since support was also given for development as a cross-cutting issue in all activities of the Organization.

9. The following amendments were proposed to programme 19, Human rights, of the proposed medium-term plan for the period 2002-2005:

(a) Paragraph 19.1, Overall orientation:

(i) In the fifth and second lines from the bottom, delete the words "including the Declaration on the Right to Development" and "including General Assembly resolution 926 (X) on advisory services in the field of human rights," respectively;

(ii) Add a reference to Economic and Social Council resolution 1235 (XLII) of 7 June 1967 at the end of the paragraph or delete specific references concerning the right to development and advisory services;

(b) Paragraph 19.2, Overall orientation: At the end of the paragraph, add the following new sentence: "Furthermore, the Office has the responsibility for coordinating human rights promotion and protection activities throughout the United Nations system and for promoting intra-system cooperation and coordination in this area";

(c) Paragraph 19.3, Overall orientation:

(i) Rephrase the first sentence as follows: "The Office will continue to promote cooperation with the efforts made by Member States to implement the Charter's provisions on human rights and the internationally recognized human rights instruments adopted by the United Nations";

(ii) In the third sentence, insert "when appropriate" after "regional";

(iii) Redraft the first sentence as follows: "The Office will continue to promote cooperation between national Governments and institutions, civil society and the United Nations for the promotion and protection of human rights for all";

(iv) In line 9, replace "Priority will continue to be given to emphasizing the importance of human rights on the international and national agendas" with "Emphasis will be given to the importance of human rights on international and national agendas;"

(v) At the end of the paragraph, insert "human rights violations in all parts of the world, particularly" before "situations of international concern identified by ...";

(vi) At the end of the paragraph, replace "international concern identified by the Commission on Human Rights and other pertinent United Nations organs" with "human rights violations;"

(d) Paragraph 19.4, Overall orientation:

(i) In line 2, insert ", upon their request," after "States";

(ii) Reformulate the second sentence as follows: "Human rights (civil, political, economic, social and cultural, [including/and] the right to development) will be addressed in an integrated, interrelated and interdependent manner, by stimulating and coordinating action across the whole United Nations system.";

(iii) In line 11, insert ", the special procedures," after "human rights organs";

(iv) [In line 12, replace "strengthen, rationalize and streamline the United Nations machinery in the field of human rights, as requested by the General Assembly in resolution 48/141" with "adapt the United Nations human rights machinery to its current and future needs";

(v) In line 12, delete "and to strengthen, rationalize and streamline the United Nations machinery in the field of human rights, as requested by the General Assembly in resolution 48/141";

(vi) In lines 12 and 13, replace "strengthen, rationalize and streamline" with "strengthen and rationalize";

(e) Subprogramme 1, Right to development, research and analysis: in order to improve transparency and to better identify the different activities and accomplishments expected to be achieved by the Programme, subprogramme 1 should be separated into two, one for the right to development, and the other for research and analysis;

(f) Paragraph 19.5, objectives:

(i) Add a second sentence on the objectives concerning the research and analysis aspect of the subprogramme, possibly drawing on the first sentence of paragraph 19.5 of the current medium-term plan;

(ii) Replace "realize" with "promote the realization of";

(iii) Add "through research and analysis activities" at the end of the paragraph;

(iv) Add a new sentence as follows: "The subprogramme also strives to promote and protect democracy and the rule of law and to mobilize against racism and all forms of discrimination."

(v) At the end of the paragraph, add "including through undertaking research and analysis."

(vi) Replace the paragraph with the following: "The primary objective of this subprogramme will include promotion, protection and realization of the right to development. In this regard, the objectives will be to develop an integrated and multidimensional strategy for the implementation, coordination and promotion of the right to development in accordance with the Declaration on the Right to Development and subsequent mandates and the Vienna

Declaration and Programme of Action, aimed at facilitating action to be taken by relevant bodies of the United Nations system, including treaty bodies, international development and financial institutions and non-governmental organizations, for the implementation of the right to development as an integral part of fundamental human rights, ensuring the realization of the right to development across the human rights programme and by specialized agencies and United Nations treaty bodies; to promote national implementation of the right to development through coordination with State-appointed officials; to identify obstacles at the national and international levels; and to promote awareness about the content and importance of the right to development, including through information and educational activities."

(vii) Replace the paragraph with the following: "The primary objective of this subprogramme is to strengthen respect for human rights, including the realization of the right to development."

(viii) Replace the paragraph with the following: "The primary objectives of this subprogramme are to realize the right to development and to strengthen research and analysis capabilities in order to improve respect for human rights;"

(g) Paragraph 19.6, Strategy: rearrange the order of subparagraphs in the second sentence so that (b) becomes (a), (c) becomes (b) and (a) becomes (c);

(h) Paragraph 19.6 (b), Strategy: this paragraph should be part of a different paragraph, addressing research and analysis as a separate issue;

(i) Paragraph 19.6 (c), Strategy: delete this paragraph;

(j) Add a new paragraph 19.6 (d) as follows: "Strengthen international cooperation to eliminate the obstacles to the enjoyment of the right to development at the international level.";

(k) Paragraph 19.7, Strategy:

(i) In line 4, replace "to ensure" with "so";

(ii) In line 5, delete "all";

(iii) In line 6, replace "the" with "appropriate";

(iv) From line 13, delete the last 6 lines after "obstacles to development";

(v) In line 14, delete "civil and political rights, as well as";

(vi) Delete "in consultative status with the Economic and Social Council" in the last sentence;

(vii) At the end of line 15, insert a new sentence as follows: "In this context, structural and systemic constraints impeding the realization of national-level actions will be addressed at the international level."

(viii) In line 11, after "capacity-building", insert "as well as promote research and analysis to eliminate obstacles to development, not only at the national level, but also at the international level, as a result of the problems arising from globalization, such as marginalization, lack of access to commercial and financial mechanisms, debt problems and the decrease in international assistance for development. Proper consideration and support should be

provided to this subprogramme within the general framework of this programme,";

(ix) In line 15, after "cultural rights" insert "and promoting research and analysis to eliminate obstacles to the realization of the right to development."

(l) Paragraph 19.8, Strategy:

(i) In line 4, delete "the implementation of standards,"

(ii) In line 6, delete "and the preparation of new standards"

(iii) In line 7, insert "civil, political" between "of" and "economic";

(iv) In line 8, replace "economic, social and cultural" with "human";

(v) In line 10, delete "and procedures for" before "rule of law";

(vi) In lines 8 to 10, the reference "to promoting democracy" and "strengthening national human rights institutions" should be re-elaborated in order to reflect more properly the mandates adopted by intergovernmental organs regarding the role of Member States in the elaboration of these issues at the national level;

(vii) In line 15, insert "marginalized and" after "protection of";

(viii) In line 15, replace "such as" with "*inter alia*";

(ix) In line 15, insert "human rights defenders," after "such as";

(x) In line 15, insert "persons belonging to" between "of" and "vulnerable";

(xi) In line 21, delete "gross and persistent";

(xii) In line 22, replace "persistent" with "systematic";

(xiii) Delete reference to the outcome of the World Conference against Racism;

(xiv) Reformulate the last sentence as follows: "Activities also relate to specific situations of violations of human rights, and ...";

(xv) In the penultimate line, insert "national" before "institutions";

(m) Subparagraphs 19.10 (a) to (e): Replace the subparagraphs with the following:

"(a) System-wide integration of the right to development as an integral part of all human rights;

(b) Enhanced awareness, knowledge and understanding of human rights through research and analysis activities;

(c) Implementation of the outcome of the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance and of the resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights dealing with the protection and promotion of human rights, in particular the right to development."

(n) Subparagraph 19.10 (a), Expected accomplishments:

(i) Delete "Wider integration/inclusion of a human rights approach, in general, and";

(ii) In line 4, delete "fundamental";

(iii) In line 4, replace "fundamental" with "all";

(iv) Reformulate as follows: "Wider integration/inclusion on the promotion and protection of the right to development, in particular, across the human rights programme and the relevant programmes of work of United Nations departments/offices and specialized agencies and of major international organizations and forums related to this issue;"

(v) Reformulate the second half of the sentence as follows: "... as an integral part of human rights, across the whole United Nations system as well as in major international, regional and national development agencies, organizations and forums";

(vi) Replace "Wider" with "United Nations system-wide;"

(vii) Replace with: "System-wide integration of the right to development as an integral part of fundamental human rights;"

(viii) Split the paragraph into two:

"(a) Further integration of human rights across the United Nations system;

(a) *bis* Wider integration of the right to development as an integral part of fundamental human rights;"

(o) Subparagraph 19.10 (b), Expected accomplishments:

(i) Replace "outcome" with "decisions";

(ii) Delete subparagraph 19.10 (b);

(p) Subparagraph 19.10 (c), Expected accomplishments:

(i) At the end of the sentence, add "giving proper attention to the right to development";

(q) Subparagraph 19.10 (d), Expected accomplishments:

(i) Delete reference to the World Conference on Racism;

(ii) Before "Improved implementation", add "Provide assistance, upon request from Member States, to enable the";

(r) Subparagraph 19.10 (e), Expected accomplishments:

(i) Insert "human rights defenders," after "such as";

(ii) In line 3, insert "persons belonging to" between "of" and "vulnerable";

(iii) Before "Increased recognition, add "Provide assistance to Member States, upon their request, to enable the";

(s) Subparagraph 19.11 (a), Indicators of achievement:

(i) Replace with the following: "A greater and more integral promotion by the programme to the efforts to enhance coordination in the protection and realization of the right to development in the organization";

(ii) Delete subparagraph 19.11 (a);

(t) Subparagraph 19.11 (b), Indicators of achievement:

(i) Include proper references to the different responsibilities of the Secretariat and the Member States to achieve this accomplishment (*sic*);

(ii) In line 2, after "decisions" insert "on civil, political, economic, social and cultural rights, including the right to development";

(iii) Delete subparagraph 19.11 (b);

(u) Add a new subparagraph 19.11 (c) *bis*: "Degree of fulfilment of the obligation by developed countries to official development assistance;"

(v) Paragraph 19.12, Objectives:

(i) Replace the paragraph as follows: "The objective of this subprogramme is to facilitate the effective functioning of the human rights treaty bodies and human rights organs and procedures established pursuant to United Nations human rights instruments.";

(ii) After "Families" add "and optional protocols to these human rights treaties, in particular the optional protocols to the Convention on the Rights of the Child";

(iii) At the end of the paragraph, add "as well as the Charter-based human rights organs, in particular the Commission on Human Rights";

(iv) Insert "and of the Optional Protocols to the human rights treaties" after "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families";

(v) Delete "as well as ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families" and "established pursuant to United Nations human rights instruments";

(vi) In line 2, replace "achieve" with "encourage the achievement of";

(w) Subparagraph 19.13 (b), Strategy:

(i) Delete the subparagraph;

(ii) Insert "Upon the request of the Member States concerned," before "Facilitating";

(x) Subparagraph 19.13 (c), Strategy:

Delete the subparagraph;

(y) Subparagraph 19.14 (a), Expected accomplishments:

Delete the subparagraph;

(z) Subparagraph 19.14 (b), Expected accomplishments:

(i) Replace with "to promote a deep reform process on the working methods of the treaty bodies;"

(ii) Add a new subparagraph 19.14 (b) *bis* as follows: "an increased level of satisfaction with the support provided to the Commission on Human Rights,

the Economic and Social Council and the Third Committee of the General Assembly;"

(aa) Subparagraph 19.15 (a), Indicators of achievement:

Delete the subparagraph;

(bb) Subparagraph 19.15 (c), Indicators of achievement:

(i) Replace the subparagraph with "an improvement in the working methods of the treaty bodies, in particular on the examination process of periodic reports;"

(ii) An acceptable time limit should be specified;

(cc) Subparagraph 19.15 (d), Indicators of achievement:

A time limit should be specified;

(bb) Add a new subparagraph 19.15 (f) as follows: "decrease in the number of reservations to human rights treaties";

(cc) Add a new subparagraph 19.15 (g) as follows: "a reduction in the number and scope of State Parties' reservations to human rights treaties, particularly reservations contrary to the object and purpose of the treaties;"

(dd) Paragraph 19.16, Objectives:

(i) paragraph 19.16 (c) should become (a);

(ii) Add a last sentence as follows: "The overall objective is to translate international human rights norms into legislation and practice."

(ee) Paragraph 19.18, Strategy:

(i) In the first line, insert "upon the request of Member States" after "provide";

(ii) In the third line, insert "when appropriate" after "strategies";

(iii) In the fifth line, insert "non-discriminatory" before "regional and subregional organizations"

(iv) In the sixth line, after "subregional organizations" insert "that work in harmony with the principles and activities of the United Nations and are recognized by all Member States of the United Nations in the region,";

(ff) Paragraph 19.19, Strategy:

In the sixth and seventh lines, delete "urgent appeals and other";

(gg) Paragraph 19.20, Strategy:

(i) Reformulate the paragraph as follows: "The High Commissioner for Human Rights will establish in her office an emergency response task force in order to ensure quick responses to immediate threats of human rights violations in the discharge of her mandate.";

(ii) Delete the paragraph.

(hh) Paragraph 19.21, Strategy:

Replace the paragraph with the following:

"With respect to field activities, the objectives are to ensure the efficiency of field missions and presences through the maintenance of contacts with Governments, appropriate sectors of the United Nations system, international and regional organizations when appropriate and others, by supporting and developing such activities through the development of training programmes and materials for human rights field staff and training in human rights for the appropriate components of other United Nations field operations.";

(ii) Paragraph 19.22, Expected accomplishments:

Reformulate paragraph 19.22 so as not to infringe upon the sovereignty of Member States;

(jj) Subparagraph 19.22 (a), Expected accomplishments:

Insert "in those cases where it is appropriate" after "practices";

(kk) Subparagraph 19.22 (b), Expected accomplishments:

(i) Insert "when appropriate" after "implementation";

(ii) "which include all countries and take properly into account national specificities" after "human rights";

(ll) Subparagraph 19.22 (c), Expected accomplishments:

Replace with the following: "the adoption of proper and adequate measures by normative organs of the United Nations aimed at preventing situations of massive and flagrant violations of human rights;"

(mm) Subparagraph 19.22 (d), Expected accomplishments:

Delete the subparagraph;

(nn) Add a new paragraph 19.22 (e) as follows: "the establishment of national human rights institutions";

(oo) Add a new subparagraph 19.22 (f) as follows: "the improvement of the human rights situation in all parts of the world.";

(pp) Subparagraph 19.23 (a), Indicators of achievement:

(i) Paragraph 19.23 (a): Replace "enumeration" with "elaboration" and

(ii) Insert "when appropriate" after "adopted";

(qq) Subparagraph 19.23 (b), Indicators of achievement:

Delete the subparagraph;

(rr) Subparagraph 19.23 (e), Indicators of achievement:

(i) Replace with "number of human rights violations reported by United Nations mechanisms and procedures and the number of communications received by the Office of the High Commissioner for Human Rights from individuals and groups alleging human rights violations."

(ii) Replace with "the evaluation of those situations in which normative organs on human rights demonstrate the capacity to prevent and find durable solutions to situations which indicate the possibility of massive and flagrant violations of human rights.";

(ss) Add a new paragraph 19.23 (f) as follows: "number of requests for which the International Coordinating Committee of National Institutions responded favourably;"

(tt) Paragraph 19.23, Indicators of achievement:

Delete all indicators of achievement.

Legislative mandates

General mandates

Commission on Human Rights resolutions

Add:	2000/73	Composition of the staff of the Office of the United Nations High Commissioner for Human Rights
Add:	1999/36	Right to Freedom of opinion and expression
Add:	1999/57	Promotion of the right to democracy

Subprogramme 1:

General Assembly resolution

Add:	53/135	Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

Commission on Human Rights resolutions

Add:	2000/10	The right to food
	2000/62	Promotion of the right to a democratic and equitable international order
	2000/82	Effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights
Delete:	1999/61	The Question of the Death Penalty

Subprogramme 2

General Assembly resolution

Add:	2200 A (XXI)	International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights and Optional Protocol to the International Covenant on Civil and Political Rights

Conclusions and recommendations

10. The Committee recommended that the General Assembly should carefully review programme 19, Human rights, of the proposed medium-term plan for the period 2002-2005.